

CYNTHIA E. RICHMAN (D.C. Bar No.  
492089; *pro hac vice*)  
crichman@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, DC 20036-5306  
Telephone: 202.955.8500  
Facsimile: 202.467.0539

NICOLA T. HANNA (SBN 130694)  
nhanna@gibsondunn.com  
DANIEL G. SWANSON (SBN 116556)  
dswanson@gibsondunn.com  
JASON C. LO (SBN 219030)  
jlo@gibsondunn.com  
JENNIFER J. RHO (SBN 254312)  
jrho@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
Telephone: 213.229.7000  
Facsimile: 213.229.7520

CAELI A. HIGNEY (SBN 268644)  
chigney@gibsondunn.com  
JULIAN W. KLEINBRODT (SBN 302085)  
jkleinbrodt@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
One Embarcadero Center, Suite 2600  
San Francisco, CA 94111-3715  
Telephone: (415) 393-8200  
Facsimile: (415) 393-8306

*Attorneys for Defendant Apple Inc.*

SEAN PAK (SBN 219032)  
seanpak@quinnemanuel.com  
ADAM WOLFSON (SBN 262125)  
adamwolfson@quinnemanuel.com  
ANDREW M. HOLMES (SBN 260475)  
drewholmes@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111-4788  
Telephone: 415.875.6600  
Facsimile: 415.875.6700

*Attorneys for Plaintiff AliveCor, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

AliveCor, Inc.,

Plaintiff,

v.

Apple Inc.,

Defendant.

CASE NO. 4:21-CV-03958-JSW-SK

**JOINT MOTION TO REMOVE  
INCORRECTLY FILED DOCUMENTS**

The Honorable Jeffrey S. White

1 Plaintiff AliveCor, Inc. (“AliveCor”) and Defendant Apple Inc. (“Apple”) (collectively, the  
 2 “Parties”) hereby respectfully move to remove the documents filed as Dkt. Nos. 277-30, 277-51, 278-  
 3 42, 278-43, 278-46, 278-63, 278-74, and 278-75 (collectively, the “Documents”) from the public  
 4 docket in this case.

5 Dkt. Nos. 277-30 and 278-63 are copies of the same underlying document, which was originally  
 6 filed under seal by Apple and AliveCor at Dkt. Nos. 222-9 and 193-32, respectively.

7 Dkt. Nos. 277-51 and 278-74 are copies of the same underlying document, which was originally  
 8 filed under seal by Apple and AliveCor at Dkt. Nos. 222-53 and 193-43, respectively.

9 Dkt. No. 278-42 is a document that was originally filed under seal by AliveCor at Dkt. No. 193-  
 10 11.

11 Dkt. No. 278-43 is a document that was originally filed under seal by AliveCor at Dkt. No. 193-  
 12 12.

13 Dkt. No. 278-46 is a document that was originally filed under seal by AliveCor at Dkt. No. 193-  
 14 15.

15 Dkt. No. 278-75 is a document that was originally filed under seal by AliveCor at Dkt. No. 193-  
 16 44.

17 The Parties moved to permanently seal portions of the Documents in their respective sealing  
 18 motions filed on November 2, 2023. *See* Dkt. Nos. 249 and 250. The Court granted in relevant part  
 19 the motions. Dkt. No. 254. Pursuant to the Court’s order, the Parties filed public redacted versions of  
 20 the Documents on December 20, 2023. *See* Dkt. Nos. 277 and 278. The public redacted versions of  
 21 the Documents inadvertently omitted certain redactions of confidential and Court-ordered sealable  
 22 information. *See* Dkt. Nos. 249 and 250.

23 The Parties discovered the missing redactions on December 28, 2023, and the Parties  
 24 immediately e-mailed the Court’s Civil Case Docketing and Docketing Correction Office to request  
 25 that the Documents be locked from public view. The Parties also called the ECF Help Desk to request  
 26 expedited handling. The parties understand that the Documents have been temporarily locked from  
 27 public view.  
 28

1 The Parties have attached a corrected version of each of the Documents to this motion. The  
 2 corrected versions are identical to the Documents in all respects except that the redactions that were  
 3 inadvertently omitted in the Parties' previous filing have been added.

4 The corrected version of Dkt. Nos. 277-30 and 278-63 is attached as Exhibit A.

5 The corrected version of Dkt. Nos. 277-51 and 278-74 is attached as Exhibit B.

6 The corrected version of Dkt. No. 278-42 is attached as Exhibit C.

7 The corrected version of Dkt. No. 278-43 is attached as Exhibit D.

8 The corrected version of Dkt. No. 278-46 is attached as Exhibit E.

9 The corrected version of Dkt. No. 278-75 is attached as Exhibit F.

10 For these reasons, the Parties respectfully request that the Court grant this Joint Motion to  
 11 Remove Incorrectly Filed Documents, remove the Documents permanently from the public docket and  
 12 ECF, and order that the corrected versions of the Documents attached to this Joint Motion replace the  
 13 incorrectly filed versions.

14  
 15 DATED: January 2, 2024

GIBSON, DUNN & CRUTCHER LLP

16 By: /s/ Jason C. Lo  
 17 Jason C. Lo

18 *Attorney for Defendant Apple Inc.*

19 QUINN EMANUEL URQUHART & SULLIVAN LLP

20 By: /s/ Adam Wolfson  
 21 Adam Wolfson

22 *Attorney for Plaintiff AliveCor, Inc.*

**N.D. Cal. Civil Local Rule 5-1 Attestation**

I, Jason C. Lo, am the ECF User whose credentials were utilized to file this JOINT MOTION TO REMOVE INCORRECTLY FILED DOCUMENTS. In accordance with N.D. Cal. Civil Local Rule 5-1(h)(3), I hereby attest that Adam Wolfson concurred in the filing of this document.

Dated: January 2, 2024

/s/ Jason C. Lo

Jason C. Lo